

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WA'IL MANSUR MUHANNAD,)	
)	
Petitioner,)	8:06CV435
)	
v.)	
)	
JAMES P. ROWOLDT,)	ORDER
et al.,)	
)	
Respondent.)	
_____)	

This matter is before the Court on petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 (Filing No. 1). Initially this action was dismissed by the Court as it was filed in the wrong jurisdiction. However, in the interim after the filing of the petition, and the Court's ruling, petitioner was released from custody and placed in a half-way house in Nebraska under the supervision of the United States Probation Office.

The Court subsequently concluded to set aside its order of dismissal and address the issues raised by petitioner, requiring first that he pay the \$5 filing fee. The record reflects that the filing fee was paid on September 29, 2006. The Court finds respondent should respond to petitioner's claims. Accordingly,

IT IS ORDERED:

1) The Clerk of Court shall send copies of this order and the petition for writ of habeas corpus to James P. Rowoldt and the United States Attorney for the District of Nebraska.

2) On or before November 13, 2006, the respondent shall show cause why the writ should not be granted.

3) Petitioner may reply to the response on or before November 27, 2006.

DATED this 17th day of October, 2006.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court